

REMARKS

Applicant thanks the Examiner for the detailed comments in the Office Action mailed June 12, 2009.

Claims 1, 4 and 7 are amended. Claims 2-3 and 8 are canceled. Drawing corrections have not been submitted and amendments to the claims have been made to correct formal matters. Since claim 3 is canceled, no amendment to the drawings is needed. Claim 3 was drawn to a method and did not include the fresh air outlet as a limitation to the claim.

Claims 1, 4 and 7 are amended to correct formal errors and to include additional limitations in the claims. No new matter has been added. Support for the amendments can be found at paragraphs [0015], [0018], [0019] and Fig. 2 of applicant's published application number 2009/002065341 and within corresponding portions of the original specification. Thus, the rejections under 35 U.S.C. §112, are overcome by the corrections as to form of the pending claims.

35 USC §102

Section 102 embodies the concept of "novelty," that is, "if a device or process has been previously invented (and disclosed to the public), then it is not new, and therefore the claimed invention is 'anticipated' by the prior invention." Because the hallmark of anticipation is prior invention, the prior art reference must not only disclose all elements of the claim within the four corners of the document, but also must disclose those elements "arranged as in the claim."

Breit omits the steps of claim 1 and elements of claim 7. Therefore, Breit fails to anticipate any of the pending claims, as amended. Specifically, Breit fails to disclose any air mixer unit or any connection between the air openings at the surface of an aircraft and the air mixer unit. None of the suction air in Breit is fed through the air conditioning system into the pressurized cabin of the aircraft. Thus, Breit fails to disclose "a method for suctioning a boundary layer at a surface of an aircraft having an air-conditioning system, the air conditioning system having an air mixer unit, for supplying a pressurized aircraft cabin with conditioned air, and at flow-critical points of the surface, the surface has multiple suction openings provided for boundary layer suctioning of suction air, the method comprising the steps of:

feeding a quantity of the suction air to the air mixer unit of the air-conditioning system of the aircraft to reduce flow losses; and

feeding a portion of the cabin air to the air mixer unit such that the portion of the cabin air is returned into the air-conditioning system via the mixer unit and is mixed with the quantity of the suction air to form a mixture prior to discharging the mixture to the cabin,” as recited in claim 1 as amended and claim 1 is not anticipated by Breit.

Claims 4-6 includes all of the limitations of claim 1, plus additional limitations, thus claims 4-6 are not anticipated by Breit.

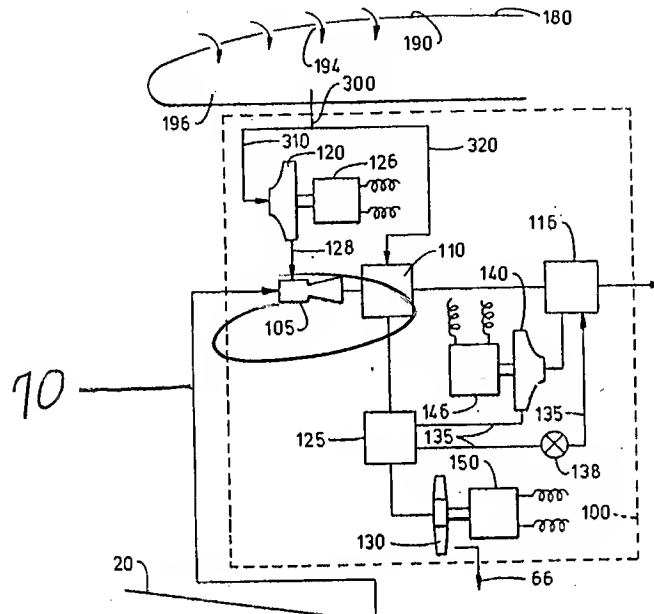
In addition, Breit fails to disclose the air mixer unit and arrangement of the air mixer unit as recited in claim 7, as amended. Claims 9-11 depend from claim 7; therefore, claims 7 and 9-11 are not anticipated by Breit.

Turning now to the Coffinberry reference, Coffinberry does not disclose “a method for suctioning a boundary layer at a surface of an aircraft having an air-conditioning system, the air conditioning system having an air mixer unit, for supplying a pressurized aircraft cabin with conditioned air, and at flow-critical points of the surface, the surface has multiple suction openings provided for boundary layer suctioning of suction air, the method comprising the steps of:

feeding a quantity of the suction air to the air mixer unit of the air-conditioning system of the aircraft to reduce flow losses; and

feeding a portion of the cabin air to the air mixer unit such that the portion of the cabin air is returned into the air-conditioning system via the mixer unit and is mixed with the quantity of the suction air to form a mixture prior to discharging the mixture to the cabin,” as arranged in claim 1, as amended.

Instead, Coffinberry discloses that multi-function duct line 70 is known to provide bleed air from an aircraft engine to an ECS system and for anti-icing. (See col. 6, lines 59-62). Only engine bleed air 70 and wing bleed air 128 are shown to be mixed in ejector type mixer 105. See Fig. 2 of Coffinberry below:



The method of claim 1 and the device of claim 7 mix bleed air and recycled cabin air in an air mixer unit. Thus, Coffinberry fails to disclose the arrangement of the method and device claims as recited in claims 1 and 7, respectively.

Referring to claim 7, Coffinberry fails to disclose "a recirculation line; a duct system; and an air mixer unit, wherein the duct system feeds couples the air mixer unit and the openings and the suction air from the openings of the surface of the aircraft to the air mixer unit, and the recirculation line is coupled to the air mixer unit, such that a portion of cabin air is returned to the mixer unit from the cabin of the aircraft adjusting temperature and humidity of a mixture including the suction air and the portion of cabin air prior to the discharge of the mixture into the cabin," as recited in claim 7, as amended. Coffinberry fails to disclose the elements as arranged in claim 7; therefore, claim 7 is not anticipated by Coffinberry.

No new matter has been added by any of the amendments. The Applicant respectfully requests entry of the amendment to the claims and allowance of all pending claims, which recite steps and elements not disclosed by the cited references. Furthermore, the cited

references fail or teach or suggest all of the limitations of the claims, whether the references cited are taken alone or in combination. Therefore, the claims are now in condition for allowance.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Paradies', written over a horizontal line.

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